REMARKS

In the Office Action dated May 23, 2005, the Examiner rejected claims 32, 37-40, 45-48, and 53-56 under 35 U.S.C. § 103(a) as being unpatentable over Pare Jr. et al. ("Pare") (U.S. Patent No. 5,870,723) in view of Griffith et al. ("Griffith") (U.S. Patent No. 4,825,050); and indicated that claims 33-36, 41-44, and 49-52 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

Applicants respectfully traverse the rejection of claims 32, 37-40, 45-48, and 53-56 under 35 U.S.C. § 103(a) as being unpatentable over Pare in view of Griffith. No *prima facie* case of obviousness has been established with respect to claim 32 for at least the reason that the combination of Pare and Griffith fails to disclose or suggest every claim element included in claim 32.

For example, claim 32 recites a combination of elements including, *inter alia*, "an *encoder that generates a unique code* from input data comprising transaction data and a human identifier that uniquely identifies a human being . . ., a verifier that verifies integrity of the secure endorsed transaction by . . . comparing *a stored unique code* derived by decrypting the digital signature using the second key *with a computed unique code* derived from the human identifier and the transaction data." Pare and Griffith fail to disclose or suggest at least these claim elements.

In the Office Action, the Examiner maintained that Pare discloses a system comprising "an encoder that generates a unique code from input data comprising transaction data and a human identifier . . . and a verifier that verifies integrity of the

secure endorsed transaction by . . . comparing a stored unique code derived by decrypting the digital signature using the second key with a computed unique code derived from the human identifier and the transaction data." See Office Action at page 2 (citing Pare, column 23, lines 60-67; column 24, lines 1-17; and Fig. 11). However, Pare fails to disclose "an *encoder that generates a unique code* from input data comprising transaction data and a human identifier that uniquely identifies a human being," as required by claim 32. While Pare discloses a proposed commercial transaction including a list of goods or services, date and time, any invoice numbers, the location of a sale, and a seller identification code, Pare does not disclose "an *encoder that generates a unique code* from input data comprising transaction data and a human identifier that uniquely identifies a human being," as required by claim 32. Moreover, there is no teaching or suggestion in the sections of Pare cited by the Examiner (column 23, lines 60-67 and column 24, lines 1-17), that the "commercial transaction" is unique as to anything or in anyway.

Furthermore, Pare also fails to disclose "comparing *a stored unique code* derived by decrypting the digital signature using the second key *with a computed unique code* derived from the human identifier and the transaction data," as required by claim 32. Pare discloses validating the biometric-PIN, obtaining the account number using the index code provided by the buyer, and cross-checking the seller identification code in the commercial transaction. See Pare, column 24, lines 5-11. Pare discloses that this validation is done by comparing the biometric samples and PIN added by the buyer to the commercial transaction, with previously registered biometric samples and PINs in a buyer identification step; and by determining the buyer's and seller's financial accounts

using the buyer's index code and the seller identification code respectively. See Pare, column 4, lines 43-54. However, comparing biometric samples and PINs with previously registered biometric samples and PINs, and determining financial accounts using a buyer's index code and a seller identification code does not constitute "comparing a *stored unique code* derived by decrypting the digital signature using the second key *with a computed unique code* derived from the human identifier and the transaction data," as required by claim 32. Furthermore, Griffith, relied on for its disclosure of a digital signature processor that generates a digital signature (see Office Action at page 2), fails to cure the deficiency of Pare. Therefore, claim 32 is allowable for at least the reasons set forth above.

Independent claims 40 and 48, although different in scope, include elements similar to the elements of claim 32 and are accordingly allowable for at least the reasons discussed above.

Dependent claims 37-39, 45-47, and 53-56 ultimately depend on one of claims 32, 40, and 48, and, therefore, are allowable for at least the reasons discussed above and in view of their additional recitations of novelty.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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